

for acute and chronic Rheumatism;” (carton) “My ancestors never had rheumatism * * * An effective Remedy For Acute and Chronic Rheumatism. * * * [In French and Spanish] In case of sexual debility;” (circular) “For Rheumatism * * * Rheumatism of the Head, Face, Neck, Chest, Back, Shoulders, Small of the Back, Arms and Legs or of the Joints. This preparation is a scientific combination of the best known and approved remedies for Rheumatism, * * * No change of habit or diet is necessary during treatment. * * * Chronic cases usually require from two to three bottles. * * * In all cases where there is great pain give: * * * Where the pain is not very severe, as in most chronic cases.”

On November 12, 1930, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17830. Misbranding of 4-44. U. S. v. 24 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25198. I. S. No. 3948. S. No. 3472.)

Examination of samples of a drug product, known as 4-44, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Western District of North Carolina the herein-described interstate shipment of a quantity of the product located at Shelby, N. C.

On October 15, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 24 bottles of the said 4-44 at Shelby, N. C., alleging that the article had been shipped by W. B. Nethery, from Elberton, Ga., on or about October 3, 1930, and had been transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, compounds of ammonium, sodium potassium, and phosphorus, small proportions of saccharin and salicylic acid, traces of calcium, iodine, and manganese, sugar, and water, flavored with lemon oil and colored with a red dye.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle and carton labels were false and misleading: (Bottle) “This preparation builds and purifies the blood giving new life because of the vital elements it contains;” (carton) “The medicinal base of this preparation begins to build you up from the first dose.” Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the said labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) “4-44 Four Forty-Four For Forty-four diseases, including liver, * * * influenza, indicated in the treatment of rheumatism, * * * loss of appetite. This preparation builds and purifies the blood giving new life because of the vital elements it contains;” (carton) “4-44 Four Forty-Four * * * Marvelous medicine for many maladies * * * relieves a long list of ailments * * * corrects disorders * * * vitality. The medicinal base of this preparation begins to build you up from the first dose.”

On December 3, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17831. Adulteration and misbranding of ether. U. S. v. One hundred and twenty-five 1-Pound Cans, et al., of Ether. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25201, 25247. I. S. Nos. 3072, 3073, 4929. S. Nos. 3480, 3536.)

Samples of ether from the herein-described interstate shipments having been found to contain peroxide and aldehyde, indicating deterioration, the Secretary of Agriculture reported the facts to the United States attorney for the District of Massachusetts.

On October 15 and October 29, 1930, the United States attorney filed in the United States District Court libels praying seizure and condemnation of two hundred and thirty-eight 1-pound cans of ether, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the American Solvents & Chemical Corporation, from Albany, N. Y., in